

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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IRINA MORDUKHAYEV,

Plaintiff,

- against -

HILTON TIMES SQUARE, SUNSTONE HOTEL  
PROPERTIES INVESTORS, INC., HILTON  
HOTELS CORPORATION, FC42 HOTEL LLC,  
SUNSTONE 42ND STREET LLC, SUNSTONE  
42ND STREET LESSEE, INC., SUNSTONE  
HOTEL PROPERTIES, INC. d/b/a HILTON  
TIMES SQUARE, SUNSTONE HOTEL OP,  
SECURE WATCH24 d/b/a SW24, SLAVKA  
KMEE, FOSTER BURNETT, ROCCO  
CASTELLANO, and NEW YORK HOTEL AND  
MOTEL TRADES COUNCIL, AFL-CIO (Union),

Defendants.  
-----X

No. 1:11-cv-00615-ENV-CLP

**SUNSTONE DEFENDANTS'**  
**NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that upon the accompanying Memorandum of Law, and upon all the pleadings and proceedings herein, Defendants Sunstone Hotel Properties Investors, Inc., Sunstone 42nd Street LLC, Sunstone 42nd Street Lessee, Inc., Sunstone Hotel Properties, Inc. d/b/a/ Hilton Times Square, Sunstone Hotel OP, Slavka Kmec (incorrectly named as Slavka Kmee), and Foster Burnett (the “Sunstone Defendants”), by their undersigned counsel, will move this Court, at a date and time to be determined by the Court, before The Honorable Eric N. Vitaliano, United States District Judge, Eastern District of New York, at the United States Courthouse, 225 Cadman Plaza East, Brooklyn, New York 11201, for an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure granting Defendant’s Motion to Dismiss the Complaint, and for such other and further relief as the Court may deem just and proper.

Dated: New York, New York  
March 18, 2011

Respectfully submitted,  
  
SEYFARTH SHAW LLP

By: /s/ Robert S. Whitman  
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*Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that on March 18, 2011, I caused the foregoing Cover Letter, Sunstone Defendants' Notice of Motion, and Sunstone Defendants' Memorandum of Law in Support of Motion to Dismiss, to be served by federal express upon the following counsel of record:

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